

Pat. 7,965,408

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Sorna Corporation, Inc.

Plaintiff,

v.

Dicom Solutions, Inc.

Civil Case No. _____

Defendant.

COMPLAINT

Comes now the Plaintiff Sorna Corporation, Inc. (hereinafter "Sorna") as and for its Complaint against Defendant Dicom Solutions, Inc. (hereinafter "Dicom Solutions") states and alleges as follows.

THE PARTIES

1. Plaintiff Sorna is a Minnesota Corporation with its principle place of business in Eagan, Minnesota. Sorna manufactures devices that implant medical data onto portable media.
2. Upon information and belief Defendant Dicom Solutions is a California corporation with its principle place of business at 1548 Wald, Irvine, CA 92618.

JURISDICTION AND VENUE

3. The claims alleged herein arise under the patent laws of the United States, 35 U.S.C. § 1, *et seq.*

4. This Court has jurisdiction over the subject matter of this case pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Dicom Solutions under Minn. Stat. § 543.19. Dicom Solutions has continuous and systematic contacts in Minnesota. On information and belief Dicom Solutions also offered to sell and sold products in Minnesota that infringe the patent-in-suit. On information and belief, such infringing products are also being used in Minnesota.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b).

CLAIM FOR INFRINGEMENT OF U.S. PATENT NO. 7,965,408

7. Sorna realleges and incorporates as if set forth herein the allegations set forth in ¶¶ 1-6.

8. Sorna is the owner of the entire right, title and interest in and to United States Patent No. 7,965,408 (hereinafter the "'408 patent"), entitled Medical Data Recording System, was duly and legally issued on June 21st, 2011. A copy of the '408 patent is attached as Exhibit A hereto.

9. Dicom Solutions produces a line of products under the names *inter alia* PACSImage Router, Scanner, and Archive (hereinafter the "infringing products").

10. The infringing products practice one or more of the claims of the '408 patent.

11. Dicom Solutions has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '408 patent by making, using, offering to sell and/or selling the infringing products in this district and elsewhere in the United States, in violation of 35 U.S.C. § 271

12. On information and belief, Dicom Solutions will continue to directly infringe, actively induce others to infringe and/or contribute to the infringement of the '408 patent unless and until Dicom Solutions is enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Sorna prays that the Court enter judgment in its favor and against Dicom Solutions, as follows:

A. To enter judgment that Defendant has directly infringed, actively induced others to infringe, and/or contributed to the infringement of the '408 patent pursuant to 35 U.S.C. § 271;

B. To enter orders preliminarily and permanently enjoining Dicom Solutions, and its respective officers, agents, servants, and employees, and attorneys, and all persons in active concert or participation with any of the foregoing, and all parties contemplated by Rule 65(d) Fed.R.Civ.P. be preliminarily and permanently enjoined from further infringement of the '408 patent pursuant to 35 U.S.C. § 283;

C. To award Plaintiff its respective damages in an amount sufficient to compensate it for Dicom Solutions' infringement of the '408 patent, but in no event less than a reasonable royalty, together with pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;

D. To find that Defendant's infringement is willful, deliberate, and intentional, and that such damages should be increased up to three times the amount assessed.

E. To find that this case be deemed exceptional and Plaintiff be awarded attorney fees, expenses and costs incurred in this action pursuant to 35 U.S.C. 285; and

F. To award Plaintiff such other and further relief as the Court deems just and equitable under the circumstances.

DEMAND FOR A JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury of any and all issues on which a trial by jury is available under applicable law.

Dated: July 18, 2011

By: /s/ Frank S. Farrell

F.S. FARRELL, LLC
Frank S. Farrell (MN #28447)
Alexander J. Farrell (MN #390202)
7101 York Avenue South, Suite 153
Edina, MN 55435
Telephone: (952) 921-3260
Facsimile: (952) 216-0106
frank@fsfarrell.com
alexander@fsfarrell.com

ATTORNEYS FOR PLAINTIFF SORNA